REMARKS

Claim Objections

Claims 1 and 7 are objected to because of the following informalities:

In the 12/20/06 response Applicant defined the "non-internet media buys" to be: "advertising which is not placed on the internet, which includes advertising on television, radio, and newspaper ads", in support of page 4 of the specification. Examination suggests replacing the "non-internet media buys" with the defined segment above, to be consistent with the specification and to clearly claim the subject matter.

Claims 2, 4-6 and 8 depend from claims 1 and 7 respectively, comprise the same deficiencies and are therefore objected to on the same basis.

Appropriate correction is required.

Applicant has amended the claims appropriately.

Claim Rejections – 35 USC § 101

Claims 1, 2 and 4-8 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The basis of this rejection is set forth whether the invention accomplishes a practical application and whether it generates a useful, concrete and tangible result.

The guidelines explain that a practical application of a 35 U.S.C. 101 judicial exception is claimed if the claimed invention physically transforms an

article or physical object to a different state or thing, or if the claimed invention otherwise produces a useful, concrete, and tangible result.

In the present case, independent claims 1 and 7 do not involve transformation of article or physical object to a different state or thing, they merely recite comparing data. Further, independent claims 1 and 7 do not produce a useful, concrete, and tangible result, but merely compare data from a database and do not store any results.

Claims 1 and 7 taken as a whole are directed to a mere method and system claim, i.e., are an abstract idea. Further system claim 1 does not comprise any hardware. Thus as explained above, claims 1 and 7 do not comprise a practical application hence re nonstatutory.

Claim 1 states that the system comprises a number of databases. Further the amended claims now require that the information is now provided to a user. Therefore, claim one provide a useful , concrete and tangible result to a user. Further claims 2 and 6 state that a report is generated, which is obviously tangible. Claim 7 has also been amended to state that the information is provided to the user, which is obviously a tangible result. Therefore the above claims satisfy 35 USC 101.

Claim Rejections – 35 USC § 103

Claims 1, 2 and 4-8 are rejected under 35 U.S.C. 103(a) as best as the Examiner is able to ascertain as being unpatentable over Matsumoto et al (U.S. Patent No. 6,763,334).

Regarding claims 1 and 7:

an index log file optionally comprising a user's IP address (fig. 2, item 62, col. 8, lines 53-64);

Applicant has amended the claims to state that the second database further includes date and time user logs onto said web site. This is not taught by Matsumoto.

said system comparing information from said first database with information from said index log file to determine which of said non-internet ads generated said web clicks (col. 10, lines 8-12);

Below is the full text of col. 10 lines 8-12.

"The index CGI 61, action CGI63, result CGI65 and the associated log files are cooperative to form a response measurement module 60 for providing data of the user's responses or actions induced by the advertisement on the ad space 201."

Col. 8 lines 32-35 states that "The index URL is embedded in the ad space 201 so that an index CGI61 of the agents server 10 catches the information of the user clicking on the ad space 201, in addition to the advertiser's name and the APID.

Col. 8 lines 47-56 states "Based upon the advertiser's name and the APID received at index CGI 61, the arrangement module 14 identifies an entrance page URL of the entrance page 101 with reference to the database table 15. Thus, index CGI 61 is enabled to redirect the user's response to the entrance

page 101 of the advertiser's web site immediately after receiving the information. Some of the information received at index CGI 61 is stored in an index log file 62 for analysis of the users behavior."

Col. 8 line 64- Col. 9 line 4 states "Upon establishment of the advertisement contract, the arrangement module 14 prepares an action URL and a result URL for linking the entrance page 101 and the action page 102 respectively to an action CGI63 and result CGI64 of the agent's server 10. Action URL is embedded in a guide object appearing in the entrance page 101 for inviting the user to the action page 102 and directing the user's response through action CGI 63 to the action page 102."

Col. 9 lines 12-15 states "Action CGI63 catches the information resulting from the user's clicking or the like response to the guide object of the entrance page 101 and stores the information in an action log file 64."

Col. 9 lines 21-29 states "The data of referring pages are then collated with those obtained at index CGI 61 to identify the origin of the response, i.e., APID since the referring pages carry the index URL of the ad space 201 which is the key for identification of the origin of the response. From this identification, action CGI 63 retrieves an action page URL of the action page 102 and redirects the user's response to the action page 102. Data of the information received at action CGI63 are stored in an action log file 64 with APID identified."

Col. 9 lines 30-37 states "The result URL is embedded in an action object which is inserted in the action page 102 for access by the user to require one of

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the defined responses or actions that the advertiser selected to pay for. Further, with action process URL, the user's action made to the action object is directed to the action process CGI110 through a result CGI 65 of the agent's server 10 for collecting data of the user's action made to the defined response."

Col. 9 lines 47-50 states "Result CGI 65 catches the information resulting from the user's clicking or the like response to the action object of the action page 102 and stores the information in an result log file 66."

Col. 9 lines 56-63 states "The data of referring pages are then collated with those obtained at index CGI 61 to identify the origin of the response, i.e., APID as discussed above. From this identification, result CGI 65 retrieves an action process URL of the action process CGI 110 and redirects the user's response thereto. Data of the information received at result CGI65 are stored in a result log file 66 with the APID identified."

In summary all of the above references teach that a URL is embedded in the advertisement, which then can tell the user which advertisement generated the web click through. There is absolutely no comparison done as required by the claim between the two databases.

and wherein the user's non internet buys comprises:

date and time of advertising, type of advertising, location of ad and expiration date of the ad (col. 8, lines 24-40 and col. 6, lines 59-64).

Col. 8 lines 24-40 relate to an arrangement module which generates an index URL which guides the user clicking on the ad space 201 to the entrance

page 101 of the advertiser's web site through the agent's server 10 for monitoring the user's access induced by the advertisement. The index URL includes a statement identifying the advertiser's name, agent, and the APID. The index URL is embedded in the ad space 201, so that an index CGI 61 of the agent's server 10 catches the information of the user clicking on the ad space 201, in addition to the advertiser's name and the APID.

None of the above relates to wherein the user's non internet buys comprises: date and time of advertising, type of advertising, location of ad and expiration date of the ad.

Col. 6, lines 59-64 relates to information relating to the users demographics of the affiliate's medium. Again this has no relation to the section cited in the claim.

The Examiner states that Matsumoto does not expressly teach a second database for storing user's IP address, but does store user's referrer log showing all referring pages from which the user is led to entrance page and also optionally stores the user's IP address, however, optionally user's IP address may be stored (col. 8, lines 53-63).

It would have been obvious to store user's IP address and referrer log in a second database in the Matsumoto system by simply modifying the index log file (62 to be implemented as a database. One would be motivated to use a second database instead of an index log file to easier manipulate the data stored in the index log file.

What is taught in the prior art goes against the argument that it is obvious to store the IP address, since the prior art relates to storing the URL and therefore there is no teaching, nor would it be obvious to store a user's IP address. There is absolutely no need to in Matsumoto.

For all of the above reasons claims 1 and 7 are not obvious over the prior art.

Regarding claims 2 and 8, Matsumoto discloses the system further comprises a report that shows which ads generated the web clicks (col. 9, lines 61-65).

For the reasons stated above for claims 1 and 7, claims 2 and 8 are not obvious over the prior art.

Regarding claim 4, Matsumoto discloses the information about a user's media buys further comprises demographics of the ad (col. 6, lines 59-63).

For the reasons stated above for claim 1, claim 4 is not obvious over the prior art.

Regarding claim 5, Matsumoto discloses the information about a user's media buys further comprises cost of the ad (col. 5, lines 22-29).

For the reasons stated above for claim 1, claim 5 is not obvious over the prior art.

Regarding claim 6, Matsumoto discloses a report that shows which of the web clicks do not correspond to an ad (col. 9, line 61 to col. 10, line 20).

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For the reasons stated above for claim 1, claim 6 is not obvious over the prior art.

Applicant now believes the application is in condition for allowance.

Respectfully submitted,

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